

n2 Section 847.0135(3), Florida Statutes (Supp. 1996).

----- End Footnotes -----

STATE OF MICHIGAN
6TH JUDICIAL CIRCUIT
OAKLAND COUNTY

JUDGMENT OF SENTENCE
COMMITMENT TO
CORRECTIONS DEPARTMENT

02-183974-FH



ORI: MI-630015J

COURT ADDRESS: 1200 N. TELEGRAPH RD.

JUDGE DEBORAH G. TYNER
PEOPLE V HANN, GARY, S
MONTIC, MI 48041

THE PEOPLE OF
THE STATE OF MICHIGAN

HANN, GARY, S,
V 110 BELL STREET
YPSILANTI

MI 48197
CTN SID DOB
63-02-066634-01 2206082A 05/13/49

PROSECUTING ATTORNEY NAME /
JUD G. BORCYCA

BAR NO : DEFENDANT ATTORNEY NAME /
P41352 : THOMAS M. LOEB, BAR NO
P25913

THE COURT FINDS:

THE DEFENDANT PLEAD / FOUND GUILTY ON 09/20/2002 OF THE CRIME(S) STATED BELOW:

CONVICTED BY :		CHARGE CODE(S)	
CNT	PLEA/COURT/JURY	CRIME	MCL CITATION/PACC CODE
001	NC	CHILD ABUSIVE COMMERC ACTIV	750.145C2
002	NC	CMPTRS/INTERNET TO CMT CRIME	750.145D2F

HIV TESTING WAS ORDERED ON 12/06/2002. CONFIDENTIAL TEST RESULTS ARE ON FILE.

IT IS ORDERED:

DEFENDANT IS SENTENCED TO THE CUSTODY OF THE MICHIGAN DEPARTMENT OF
CORRECTIONS. THIS SENTENCE SHALL BE EXECUTED IMMEDIATELY.

CNT	SENTENCE DATE	MINIMUM		MAXIMUM		SENTENCE BEGINS	JAIL CR MOS/DAYS	OTHER INFO
		YRS	MOS/DAYS	YRS	MOS			
001	12/06/2002	24		20		12/06/2002	26	CONCURRENT
002	12/06/2002	24		20		12/06/2002	26	CONCURRENT

DEFENDANT SHALL PAY A \$60.00 ASSESSMENT FOR THE CRIME VICTIM RIGHTS FUND.
DEFENDANT SHALL PAY A \$150.00 ASSESSMENT FOR LAB FEES.

FINES, COSTS, AND FEES NOT PAID WITHIN 56 DAYS OF THE DATE OWED ARE SUBJECT
TO A 20% LATE PENALTY ON THE AMOUNT OWED.

FEES: \$60 DNA TESTING FEE; COMPLY WITH SEX OFFENDER REGISTRATION
REQUIREMENTS

02 DEC -9 P3:59

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CLERK OF COURT
SAINT JAMES COUNTY
CHIEF CLERK

(CONTINUED ON PAGE 002)

COURT FILE

STATE OF MICHIGAN
6TH JUDICIAL CIRCUIT
OAKLAND COUNTY

JUDGMENT OF SENTENCE
COMMITMENT TO
CORRECTIONS DEPARTMENT

CASE NO.

2002-183974-FH

ORI: MI-630015J

COURT ADDRESS: 1200 N. TELEGRAPH RD. PONTIAC, MI 48341

THE PEOPLE OF
THE STATE OF MICHIGAN

V HANN, GARY, S,
110 BELL STREET

YPSILANTI

MI 48197

CTN

SID

DOB

63-02-066634-01

2206082A

05/13/49

PROSECUTING ATTORNEY NAME /
VID G. GORCYCA

BAR NO

P41352

DEFENDANT ATTORNEY NAME /

THOMAS M., LOEB,

BAR NO

P25913

(CONTINUED FROM PAGE 001)

DATE: 12/06/2002


JUDGE DEBORAH G. TYNER

P33227

UNDER MCL 769.16A THE COURT CLERK SHALL SEND A COPY OF THIS ORDER TO THE
MICH STATE POLICE CENTRAL RECORDS DIV TO CREATE A CRIMINAL HISTORY RECORD.

I CERTIFY THAT THIS IS A CORRECT AND COMPLETE ABSTRACT FROM THE ORIGINAL
COURT RECORDS. THE SHERIFF SHALL, WITHOUT NEEDLESS DELAY, DELIVER DEFENDANT
TO THE MICH DEPT OF CORRECTIONS AT A PLACE DESIGNATED BY THE DEPARTMENT.

(SEAL)


DEPUTY COURT CLERK

CC 219B JUDGMENT OF SENTENCE, COMMITMENT TO CORRECTIONS DEPARTMENT
OAKLAND COUNTY SHERIFF'S DEPT.

COURT FILE

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STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

THE PEOPLE OF THE STATE OF MICHIGAN,

vs.

Case No. 02-183-974-FH

GARY STEVEN HANN,

Defendant.

SENTENCE

Proceedings had in the above-entitled matter
before HONORABLE DEBORAH TYNER, Circuit Court Judge, Oakland
County, Pontiac, Michigan, on Friday, December 6, 2002.

APPEARANCES:

OAKLAND CNTY PROS ATTY'S OFFC.
1200 North Telegraph
Pontiac, MI 48341
(By: Kimberly Brown)

Appearing on behalf of the People.

THOMAS M. LOEB
24724 Lahser Road
Southfield, MI 48034 - 6044

Appearing on behalf of Defendant.

Court Reporter: Debra L. Finch
CSR 5702

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CLERK OF COURT
COURT HOUSE
PONTIAC, MI 48341

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I N D E X

WITNESSES

PAGE

- - -

E X H I B I T S

Number

Description

Page

Pontiac, Michigan

Friday, December 6, 2002

--- --

THE CLERK: Calling from Page 1
for Sentencing, People verses Gary Hann. Case Number
02-183-974-FH.

MS. BROWN: Good morning, your
Honor, Kimberly Brown appearing on behalf of the People.

MR. LOEB: Thomas Loeb, on behalf
of the Defendant.

MS. BROWN: Judge, I'd like the
Court to be aware that Sergeant Duke (ph) and Detective
Hamm (ph) and Detective Otkowski (ph), all from the
Oakland County Sheriff's Department are here today for
Sentencing.

THE COURT: Why do I need to be
aware of that?

MS. BROWN: I just wanted the Court
to be aware they're here.

THE COURT: Are you indicating that
they want to speak or something?

MS. BROWN: No.

They're interested in the case, and
I wanted the Court to be aware that they're here.

THE COURT: So noted.

1 MS. BROWN: We're ready to go
2 forward with Sentencing.

3 THE COURT: Go ahead please.

4 MR. LOEB: Thank you.

5 Judge, I filed a Sentencing
6 Memorandum. And I pointed out in the memorandum, which
7 I'm sure the Court read that I had not had the benefit of
8 the report at the time I drafted it.

9 I reviewed the report. I've
10 discussed it with Mr. Hann, he's looked at it also.
11 There's one factual statement that I think because of
12 it's absence in the report makes the report inaccurate.

13 The report suggest that Mr. Hann
14 joined Nonvala (ph), I believe in 1994. But the report
15 fails to note that he voluntarily quit the organization
16 in 1996. I believe because of the nature of this case
17 and of that organization of that significance, that I
18 would ask that that language be added before this report
19 makes its way to the Department of Corrections.

20 THE COURT: All right.

21 Ms. Dykma please take care of that.

22 PROBATION: Yes, your Honor.

23 MR. LOEB: We have a dispute as to
24 the sentencing guidelines with respect to one issue only
25 which is the scoring of --

1 THE COURT: Have you talked to
2 Probation about this and the Prosecutor?

3 MR. LOEB: I told the Prosecutor
4 that we contested --

5 THE COURT: You need to speak to
6 Probation. Pass.

7 * * *

8 THE CLERK: Recalling from Page 1
9 for Sentencing. People v. Gary Hann, Case Number
10 02-183-974-FH.

11 MS. BROWN: Good morning again,
12 your Honor. Kimberly Brown, on behalf of the People.

13 MR. LOEB: Thomas Loeb, on behalf
14 of the Defendant.

15 THE COURT: All right.
16 What is the dispute?

17 MR. LOEB: The dispute is involving
18 the guidelines, specifically the 2001 addition at Page
19 31, OV 10 --

20 THE COURT: Just a minute.
21 Go ahead.

22 MR. LOEB: Thank you, Judge.

23 OV 10 on Page 31 is scored by the
24 Government as 15 points for exploitation of a vulnerable
25 victim because of a claim that predatory conduct was

1 involved, we believe that's improper scoring.

2 With that scoring the guidelines
3 scores would be from 30 to 50 months, without that
4 scoring it would be from 24 to 40 months. We believe
5 that's improper because this was a sting operation and
6 there was no victim. The fact that there was no victim
7 is reflected at Page 2 of the presentence --

8 THE COURT: I spent a lot of time on
9 this file, I understand what lead up to the arrest.

10 All right. What's the Prosecutor's
11 position?

12 MS. BROWN: Judge I believe the
13 Probation Department correctly scored that variable at
14 15 points. The fact that there was no actual victim is
15 irrelevant. This particular variable goes toward scoring
16 the Defendant's pre-offense conduct. And where
17 impossibility is not a defense to the crime, it's not a
18 defense to the scoring of this variable.

19 People v. Thousand, 117 Mich. Supreme Court case, says it's not. There is no
20 impossibility defense in these kinds of cases, in these
21 types of situations.

22 And People v. Croy, which is a
23 Federal case, 154 Fed 3rd, 229, it's a 1946 case, with
24 very similar facts, indicated that where impossibility is
25

1 not a defense to the crime, it's not a defense to the
2 scoring of this variable because this variable goes
3 toward the pre-offense conduct.

4 THE COURT: Well I'm going to have
5 to read the cases, because I'm not familiar with them.
6 So you'll have to brief it then. I don't have the books
7 in front of me, nobody had it in the Sentencing
8 Memorandum that I read, or any discussion of the issue.
9 So if you want me to consider the cases then I'm going to
10 have to review the cases. Okay, so we'll have to come
11 back next week.

12 MS. BROWN: Very well.

13 MR. LOEB: Judge, I don't think I
14 can get a brief done between now and Friday.

15 THE COURT: You don't need a brief,
16 a citation. I mean I can read the cases myself. What
17 citation do you want, just give me a citation.

18 Don't give it to me now, put it on a
19 piece of paper okay?

20 MR. LOEB: No. This is the
21 Government's copy, I received this today, but I'm happy
22 to provide it to you, because I know Kimberly can give me
23 another one and then --

24 THE COURT: Well don't you want a
25 counter-citation?

1 MR. LOEB: I will have to read
2 this, sure.

3 THE COURT: Okay.
4 All right. So you can't have it to me by next week?

5 MR. LOEB: I can try, Judge, but I
6 don't know how my schedule is, I can't guarantee.

7 THE COURT: Okay.

8 Well then I'm going to go ahead and
9 start your client's incarceration so he gets some jail
10 credit, because he's going to go to jail anyway or the
11 other.

12 But, you know, I don't want to keep
13 delaying it. But I do need to look at the law, you can't
14 just site cases to me without a brief, I actually read
15 them.

16 MS. BROWN: I understand.

17 THE COURT: Good. I'm glad you do.

18 MS. BROWN: I didn't know that he
19 was going to be challenging the variables.

20 THE COURT: I thought you
21 understood, okay? Have a seat. And at some time I'll
22 read the cases, and you won't have to read back, okay?

23 MR. LOEB: Judge, I have to leave
24 at noon. I have no control over my schedule today.

25 THE COURT: You know what, who's

1 running the courtroom here? I'm doing the best I can to
2 accommodate everybody. Have a seat, okay, and we'll see
3 what we can do to accommodate your schedule and everyone
4 else's in the courtroom.

5 Call the next case.

6 * * *

7 THE COURT: People v Hann,
8 02-183-974-FH.

9 MS. BROWN: Kimberly Brown, on
10 behalf of the People.

11 MR. LOEB: Thomas Loeb, on behalf
12 of the Defendant.

13 THE COURT: All right.

14 I've reviewed your two cases.

15 The Crow case is a Texas case. I'm not going to consider
16 Texas law for these purposes. People v. Thousand case,
17 465 Mich 149 doesn't really address the guideline issue.

18 What else do you have to say on this
19 issue, if anything?

20 MR. LOEB: Judge, my argument would
21 be that -- and you rightly noted that Thousand does not
22 deal with this issue. The fact that impossibility may
23 not be a defense to a charge in conviction is an entirely
24 different issue than for sentencing purposes what the
25 appropriate guidelines scoring should be.

1 As I understand the burden of proof
2 is the proponent of the guideline that has to convince
3 this Court by a preponderance that the scoring is
4 correct.

5 I do not believe that this
6 particular OV is properly scored. Because if you look at
7 OV 10 on Page 31, the scoring is 15 points because of an
8 allegation of predatory conduct.

9 THE COURT: All right.

10 Do you have anything else from the
11 Prosecutor's Office.

12 MS. BROWN: Nothing further than
13 what I've already stated.

14 THE COURT: Okay.

15 I agree with the Defense in this
16 case. The instruction note two is the one that's applicable.

17 "Predatory conduct means pre-offense conduct
18 directed at a victim for the primary purpose
19 of victimization."

20 While I understand from the facts in
21 this case that it can be argued that there was
22 victimization, and I, in fact, agree there was
23 victimization, I don't know that the primary purpose was
24 that. I think it was one for sexual satisfaction on the
25 Defendant's part. For that reason I am not finding the

1 scoring appropriate, due to the language "primary
2 purpose."

3 Okay. So what does that do to the
4 guidelines?

5 MR. LOEB: That changes it from
6 30 to 50 months on the minimum score to 24 to 40 months
7 on the minimum score.

8 THE COURT: 24 to?

9 MR. LOEB: 40 months.

10 THE COURT: Okay. What other
11 guideline issues, if any?

12 MR. LOEB: I have no other
13 guideline issues.

14 THE COURT: Okay.
15 Let's go to Sentencing then.

16 MR. LOEB: Judge, this was a Cobb's
17 plea of no more than 30 months on the minimum. I did
18 file an extensive memorandum. We are asking the Court to
19 consider a downward departure. And I've set out various
20 reasons which I'm prepared to argue.

21 But to shortcut things I would also
22 ask the Court to consider, if it's not willing yet, to
23 consider a downward departure to exercise the discretion
24 under the Delayed Sentencing Law and allow Mr. Hann to
25 spend, say 10 or 11 months in the Oakland County Jail so

1 that he can continue with his treatments with Dr.
2 Miller. And then we could come back then, and if the
3 Court needed an update, I would be happy to provide it.

4 We cited People v Babcock, which
5 does hold that the fact that a Defendant in a case, in
6 a sex crime case, is receiving therapy and doing well at
7 it, is a valid and objective reason for a downward
8 departure, and I think that we can demonstrate that.

9 I believe that Dr. Miller's
10 extensive 25 page report which I did include,
11 demonstrates that Mr. Hann is not only an excellent
12 candidate for such a program, but is, in fact, doing very
13 well in the program.

14 THE COURT: Thank you.

15 MS. BROWN: Judge I don't believe
16 that there's any substantial or compelling reason to
17 deviate downward. I would ask the Court to abide by the
18 Cobb, even though the guidelines have been reduced and
19 still impose the sentence of 30 months to 3 years.

20 THE COURT: Thank you.

21 Anything to say on this?

22 PROBATION: No.

23 THE COURT: Mr. Hann, what would
24 you like to say to me, if anything?

25 DEFENDANT HANN: Thank you, your

1 Honor. Briefly I would like to thank the Court it's
2 attention to this case. And I would like to say that I
3 am sincerely sorry for the actions I have taken, and
4 which I take responsibility for, and the embarrassment
5 that I caused my family and the people of Michigan and
6 Oakland County.

7 Your Honor, I'm grateful, very
8 grateful, there was no victim. I have learned a great
9 deal about myself in the last eight months. This is the
10 time anything like this has happened, and it will have
11 been the only time.

12 Your Honor, I've completed all the
13 requirements and directives that this Court has given me
14 and appearances and so forth. I have sincerely and
15 voluntarily sought extensive treatment.

16 And I wanted to point out to you,
17 your Honor, and you probably have this, but in the last
18 four months I've attended 29 SAA (ph) meetings
19 voluntarily, and doing well with those as well.

20 Dr. Miller has been stated that my
21 chance of relapse is extremely low, and I scored zero on
22 the guideline scale.

23 And finally, your Honor, I'd like to
24 point out I do have a number of medical issues which also
25 require treatment that might be better served if I wasn't

1 incarcerated as extensively as the Prosecution is asking,
2 and I thank this Court for all it's efforts.

3 MR. LOEB: Judge, I would also
4 point out Mr. Hann's family is present, his brother and
5 sister are present in the courtroom. He does have strong
6 family support.

7 THE COURT: Mr. Hann, I've spent a
8 great deal of time studying your file. Your attorney
9 filed a very extensive memorandum and psychological
10 report, I would say the most detailed psychological
11 report I think I I've ever seen as a sitting Judge, and
12 that's been a long time at this point. I've seen a lot
13 of reports.

14 I am distressed on so many levels by
15 what I've read about you. You had and have so many more
16 opportunities than by far the majority of people who
17 appeared before me as far as your family support, your
18 education, your intelligence.

19 I think that you have some mental
20 illness issues that have interfered with you proceeding
21 along the path that you had begun. You made some
22 extremely poor choices, and based on your intelligence
23 level, I can't see that they were made out of ignorance,
24 I think they were made out of choice. Now why you chose
25 to go along that path is a very complicated issue as the

1 Psychologist pointed out, and it can't be answered in a
2 few words in the short time I have up here speaking to
3 you.

4 I have many, many considerations to
5 weigh when I impose Sentence and I take them very
6 seriously. Safety of the community. Your chance of
7 rehabilitation. You know, recidivism concerns.
8 Responsibility on your part for your actions, all of
9 which I have to weigh. And based on what I've learned
10 about you I cannot say that there is a valid reason for
11 me to deviate below the statutory guidelines.

12 And I, as a sitting Judge, am
13 compelled to Sentence somebody within the guidelines
14 unless I find a valid reason to deviate, and I just don't
15 see it in this case.

16 So I will go below the Cobbs, in
17 that I think that the guideline argument is a valid one,
18 it's the guidelines that are currently drafted, and I
19 will sentence you to the bottom of the guidelines, which
20 is 24 months, but I am not going below the guidelines
21 for the reasons I've just said.

22 Therefore, your Sentence is 24
23 months to 20 years with the Department of Corrections,
24 credit for 26 days. Sixty dollars for the crime victim's
25 fee, \$150 forensic fee, \$60 for DNA Testing. I am

1 ordering HIV Testing, and you are to comply with the
2 sex offender registration requirements.

3 Sentence is being imposed for the
4 reasons stated on the record, and the reasons contained
5 within the guidelines. And I do hope that you get the
6 therapy that you need while you're with the Department of
7 Corrections, because you have too much going for you to
8 throw your life away. Good luck to you.

9 MR. LOEB: Thank you, your Honor.

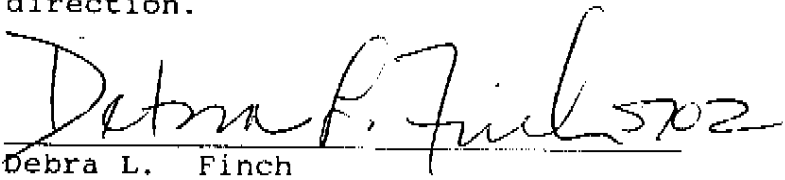
10 MS. BROWN: Thank you, your Honor.

11 (Proceedings concluded)

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R E P O R T E R ' S C E R T I F I C A T E

I do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the above-entitled matter at the time and place hereinbefore set forth, and that the foregoing is a full, true and correct transcript of the proceedings had in the above-entitled matter; and I do further certify that the foregoing transcript has been prepared by me or under my direction.


Debra L. Finch
Certified Shorthand Reporter - 5702

Dated: February 17, 2003

252386

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff,

-vs-

No: 02-183974-FH

Gary Hahn,

Defendant.

Proceedings had and
testimony taken before HONORABLE DEBORAH G. TYNER, Judge of
the Sixth Judicial Circuit of Michigan, on Friday, September
20, 2002, at Pontiac, Michigan.

APPEARANCES:

MR. MATTHEW MARTIN, ESQ.,

On behalf of the Plaintiff,

MR. THOMAS WOLF, ESQ.,

On behalf of the defendant.

RALPH W. COLLINS JR.,
Official Court Reporter
CSR-0187

COPY

Pontiac, Michigan

Friday, September 20, 2002

THE CLERK: Calling from page three for pre-trial, People vs. Gary Hahn, case number 02-183974-PH.

MR. WOLF: Thomas Wolf on behalf of the defendant. May we approach?

THE COURT: Yes.

(Short conference.)

THE COURT: All right. You're requesting a Cobb agreement to no more than 30 months as the minimum sentence. I will agree to that. Please raise your right hand to be sworn.

(Defendant sworn.)

THE COURT: You're requesting a no contest plea due to civil liability.

MR. WOLF: Correct.

EXAMINATION

BY THE COURT:

Q State your name?

A Gary Steven Hahn, 53.

Q Can you read, write, and understand the English language?

A Yes.

1 Q Can you hear and understand me?

2 A Yes.

3 Q Could you hear and understand your attorney?

4 A Yes.

5 Q Are you satisfied with the advice of your attorney?

6 A Yes.

7 Q Do you understand you are pleading no contest to the
8 offense of child sexual abusive activity and communicating
9 with another on the internet to commit a crime?

10 A Yes.

11 Q The most time you can get is 20 years, understand?

12 A Yes.

13 Q The full extent of the Cobb agreement being in the
14 event I feel it necessary to incarcerate you greater than 30
15 months, as the minimum sentence, you will be permitted to
16 withdraw your plea, do you understand?

17 A Yes.

18 Q And there is no plea agreement to reduce or dismiss any
19 charge, understood?

20 A Yes.

21 Q Do you understand you have a right to have your own
22 lawyer represent you from start to finish, including trial,
23 sentence, and I will appoint a lawyer for you if you cannot
24 afford a lawyer of your choice?

1 A Yes.

2 Q Do you understand you have to a trial by jury or by
3 the judge without a jury, if the prosecutor and I agree?

4 A Yes.

5 Q Do you understand that throughout the trial, you are
6 presumed innocent until the prosecutor proves your guilt
7 beyond a reasonable doubt?

8 A Yes.

9 Q Do you understand you have a right to have all the
10 witnesses against you appear at trial, to have your lawyer
11 ask the witnesses questions, and to have me order any
12 witnesses you might have to appear at trial?

13 A Yes.

14 Q Do you understand that you don't have to testify at
15 trial, no body can say anything about your not testifying or
16 hold it against, you; on the other hand, you have the right
17 to testify at trial if you want to testify?

18 A Yes.

19 Q Do you understand that if I accept your plea, you will
20 not have a trial of any kind, and you will be giving up all
21 the rights that I've told you about, including any claim
22 that the plea was a result of promises and threats that were
23 not disclosed to the court and it was not your choice to
24 plead?

1 A Yes.

2 Q Do you understand that any appeal from the conviction
3 and sentence following this plea will be by application for
4 leave to appeal and not by right?

5 A Yes.

6 Q Do you understand that a plea means you have a convic-
7 tion and can be used against you in the future?

8 A Yes.

9 Q Do you understand that if you are on probation or
10 parole, this plea could affect your probation or parole
11 status?

12 A Yes.

13 Q Has anyone threatened you to get you to plead?

14 A No.

15 Q Is it your own choice to plead?

16 A Yes.

17 Q This occurred in Pontiac?

18 A Yes.

19 THE COURT: Is everybody stipulating to that?

20 MR. MARTIN: Yes.

21 MR. WOLF: Yes.

22 THE COURT: I've been handed exhibit one which
23 is a police report. Are you both stipulating that contains
24 a sufficient factual basis?

1 MR. MARTIN: People stipulate.

2 MR. WOLF: Yes.

3 THE COURT: Are you both satisfied I've com-
4 plied with the court rules?

5 MR. MARTIN: Yes.

6 MR. WOLF: Yes.

7 THE COURT: Court finds the plea to be
8 understanding, accurate, and voluntary. I'll accept the
9 plea. I'm ordering DNA testing and December 6th, is the
10 sentence date.

11 (matter concluded.)

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CERTIFICATION OF REPORTER

STATE OF MICHIGAN
COUNTY OF OAKLAND

I hereby certify that the above
and foregoing transcript is a true and accurate computer
transcription of my stenographic notes, as taken before me
on the date and time indicated in the transcript hereto
attached.

RALPH W. COLLINS JR.
Official Court Reporter
CSR-0187

E:ZIP2/HAHN1.MOT

November 12, 2003

Mr. G. William Caddell
Oakland County Clerk, Sixth Circuit Court
1200 N. Telegraph Road, Dept. 413
Pontiac, MI 48341-0413

RE: URGENT NEED FOR PAGES NINE AND OVER, DOCKET REPORT, Case No. 2002-183974-FH,
People v. Hann

Dear Mr. Caddell;

I am filing an Appeal with the Court of Appeals, which is due in the next few days. I already possess the first NINE PAGES of the above referenced document (which covers activity through 12/6/02).

Therefore, could I respectfully request that you send me page TEN AND ANY SUBSEQUENT PAGES of the Docket Report (covering activity from 12/20/02 onward) in my criminal case. Enclosed is \$5 toward the cost of the documents, please notify me if there are any additional charges.

Thank you,

/s/

Gary S. Hann #431007
Cooper Street Correctional Facility
3100 Cooper Street
Jackson, MI 49201

PROOF OF SERVICE: Properly addressed US Mail, given to ARUS at 3PM on Wednesday,
November 12, 2003: gsh

age: 1 Document Name: Cntitled

JCC040-2 OAKLAND COUNTY CLERKS OFFICE - G. WILLIAM CADDELL 01/03
PAGE NO: 001 OF 010 DOCKET DISPLAY - IMAGE RETRIEVAL 09:46
NEXT PAGE: 002

CASE NO: 2002 183974 FH PEOPLE
VS
ATTY: DAVID G. GORCYCA

JUDGE: DEBORAH G. TYNER HANN, GARY, S,
LOEB, THOMAS M

BO 04/18/2002 NOTICE FROM COURT ADMINISTRATOR FILED
BO 04/18/2002 PROSECUTORS ORDER 02-66634
BO 04/18/2002 ARRESTING AGENCY: OAKLAND COUNTY SHERIFF'S DEPT.
BO 04/18/2002 50 DISTRICT COURT SL45376A&B
BO 04/18/2002 CENTRAL TRACT 63-02-066634-01
BO 04/18/2002 STATE ID 2206082A
BO 04/18/2002 DATE OF OFFENSE / /
BO 04/18/2002 ARRAIGNMENT - FRI, 04262002 AT 0830AM
BO 04/18/2002 EXAM FOR 04/18/02 WAIVED
BO 04/18/2002 SOCIAL SECURITY NUMBER: 373-52-6217
BO 04/18/2002 DATE OF BIRTH: 051349
BO 04/18/2002 750.145C2 CHILD ABUSIVE COMMERC ACTIV

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JCC040-2 OAKLAND COUNTY CLERKS OFFICE - G. WILLIAM CADDELL
PAGE NO: 002 OF 010 DOCKET DISPLAY - IMAGE RETRIEVAL
NEXT PAGE: 003

04/18/02
09:44

ACT: 04/18/02

DISP: 09/21/03

ATTY: DAVID G. GORONOR

CASE NO: 2002 183974 FH

PEOPLE

VS

JUDGE: DEBORAH G. TYNER

HANN, GARY, S,

LOEB, THOMAS M

BO 04/18/2002 BOUND OVER AS CHARGED

BO 04/18/2002 750.145D2F CMPTRS/INTERNET TO CMT CRIME

BO 04/18/2002 BOUND OVER AS CHARGED

BO 04/18/2002 CONDITIONS ON BOND

BO 04/18/2002 BOND POSTED BY: NOT FURNISHED

BO 04/18/2002 CITY UNKNOWN

BO 04/18/2002 TYPE: CASH SURETY

BO 04/18/2002 AMOUNT: \$60,000

04/19/2002 NTC CT ADMN FILED

04/19/2002 REQUEST FOR ATTORNEY/REIMBURSEMENT FILED

04/22/2002 AFFIDAVIT/PROOF OF SERVICE FILED

04/29/2002 DATE ASSIGNED FOR APPEARANCE FOR 020531 P 08 30 AM

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JCC040-2 OAKLAND COUNTY CLERKS OFFICE - G. WILLIAM CADDELL 01/03
PAGE NO: 003 OF 010 DOCKET DISPLAY - IMAGE RETRIEVAL 09:46
NEXT PAGE: 004

CASE NO: 2002 183974 FH PEOPLE
VS
JUDGE: DEBORAH G. TYNER HANN, GARY, S, ATTY: DAVID G. GORCYCA

LOEB, THOMAS M

08 04/26/2002 PRE-TRIAL HELD
08 04/26/2002 ARRAIGNMENT IN COURT PT 5/31/02
- 05/01/2002 DISTRICT COURT RETURN FILED
- 04/30/2002 SURETY BOND FILED 60,000/ABILITY BAIL BONDS
- 05/13/2002 GEN INFO FILED
- 05/17/2002 REQUEST FILED PEOPLES FOR DISC
08 05/31/2002 DATE ASSIGNED FOR APPEARANCE FOR 020712 P 08 30 AM
08 05/31/2002 PRE-TRIAL HELD PT 7/12/02
- 06/03/2002 NOTICE FILED SUB ATTY
- 06/03/2002 APPEARANCE FILED /REQ SPEEDY TRIAL
- 06/03/2002 ORDER FILED SUB ATTY
- 06/03/2002 REQUEST FILED PEOPLES FOR DISC

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Date: 1/3/ 3 Time: 09:44:37 AM

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JCC040-2 OAKLAND COUNTY CLERKS OFFICE - G. WILLIAM CADDELL 01/03
PAGE NO: 005 OF 010 DOCKET DISPLAY - IMAGE RETRIEVAL 09:46
NEXT PAGE: 006

CASE NO: 2002 183974 FH PEOPLE
JUDGE: DEBORAH G. TYNER VS
HANN, GARY, S, ATTY: DAVID G. GORCYCA
LOEB, THOMAS M

08 09/20/2002 FINAL DISPOSITION
08 09/20/2002 PLEA NOLLO, S 12/6/02
08 09/20/2002 DNA ORDERED
09/23/2002 ORDER FOR DNA FILED
09/27/2002 PETITION FOR PSI FILED /DAMORE
JS 12/06/2002 SENTENCED ON: 12/06/02
JS 12/06/2002 FOUND GUILTY ON: 09/20/02
JS 12/06/2002 DEPARTMENT OF CORRECTIONS
JS 12/06/2002 750.145C2 CHILD ABUSIVE COMMERC ACTIV
JS 12/06/2002 SENTENCED - CONVICTED BY PLEA NC
JS 12/06/2002 MIN: 0 YEARS 24 MONTHS 0 DAYS
JS 12/06/2002 MAX: 20 YEARS 0 MONTHS

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CC040-2 OAKLAND COUNTY CLERKS OFFICE - G. WILLIAM CADDELL 01/03/
 PAGE NO: 006 OF 010 DOCKET DISPLAY - IMAGE RETRIEVAL 09:46:
 NEXT PAGE: 007 ACT: 04/18/20
 DISP: 09/20/20
 CASE NO: 2002 183974 FH PEOPLE
 VS
 ATTY: DAVID G. GORCYCA
 JUDGE: DEBORAH G. TYNER HANN, GARY, S,
 LOEB, THOMAS M

JS 12/06/2002 BEGINNING 12/06/02
 JS 12/06/2002 CREDIT FOR 0 MONTHS 26 DAYS
 JS 12/06/2002 CONCURRENT
 JS 12/06/2002 750.145D2F CMPTRS/INTERNET TO CMT CRIME
 JS 12/06/2002 SENTENCED - CONVICTED BY PLEA NC
 JS 12/06/2002 MIN: 0 YEARS 24 MONTHS 0 DAYS
 JS 12/06/2002 MAX: 20 YEARS 0 MONTHS
 JS 12/06/2002 BEGINNING 12/06/02
 JS 12/06/2002 CREDIT FOR 0 MONTHS 26 DAYS
 JS 12/06/2002 CONCURRENT
 JS 12/06/2002 VICTIMS RIGHTS FEE \$60
 JS 12/06/2002 LAB FEE \$150

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JCC040-2 OAKLAND COUNTY CLERKS OFFICE - G. WILLIAM CADDELL 01/03
PAGE NO: 007 OF 010 DOCKET DISPLAY - IMAGE RETRIEVAL 09:46
NEXT PAGE: 008

CASE NO: 2002 183974 FH PEOPLE
JUDGE: DEBORAH G. TYNER VS
HANN, GARY, S, ATTY: DAVID G. GORCYCA

LOEB, THOMAS M

JS 12/06/2002 OTHER: \$60 DNA TESTING FEE; COMPLY WITH SEX OFFENDER-
JS 12/06/2002 REGISTRATION
JS 12/06/2002 REQUIREMENTS
JS 12/06/2002 HIV TESTING WAS ORDERED ON 12/06/02
JS 12/06/2002 END OF SENTENCE INFORMATION
- 12/06/2002 SENTENCING INFORMATION REPORT FILED
- 12/06/2002 ORD/PTN EVALUATE SENTENCE FILED
- 12/06/2002 PEOPLES EXHIBIT NO.1 FILED
- 08 12/06/2002 SENTENCE IN FRONT OF TYNER
- 12/09/2002 JUDGMENT OF SENTENCE FILED
- 12/10/2002 ORDER FOR HIV TESTING FILED
JS 12/06/2002 SENTENCED ON: 12/06/02

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Page: 1 Document Name: untitled

JCC040-2

PAGE NO: 008 OF 010 OAKLAND COUNTY CLERKS OFFICE - G. WILLIAM CADDELL
NEXT PAGE: 009 DOCKET DISPLAY - IMAGE RETRIEVAL

01/02
09:46

ACT: 04/18/2

DISP: 09/20/2

ATTY: DAVID G. GORCYCA

CASE NO: 2002 183974 FH

PEOPLE

VS

JUDGE: DEBORAH G. TYNER

HANN, GARY, S,

LOEB, THOMAS M

JS 12/06/2002 *** AMENDED ***

JS 12/06/2002 FOUND GUILTY ON: 09/20/02

JS 12/06/2002 DEPARTMENT OF CORRECTIONS

JS 12/06/2002 750.145C2

CHILD ABUSIVE COMMERC ACTIV

JS 12/06/2002

SENTENCED - CONVICTED BY PLEA NC

JS 12/06/2002

MIN: 0 YEARS 24 MONTHS 0 DAYS

JS 12/06/2002

MAX: 20 YEARS 0 MONTHS

JS 12/06/2002

BEGINNING 12/06/02

JS 12/06/2002

CREDIT FOR 0 MONTHS 26 DAYS

JS 12/06/2002

CONCURRENT

JS 12/06/2002

750.145D2F

CMPTRS/INTERNET TO CMT CRIME

JS 12/06/2002

SENTENCED - CONVICTED BY PLEA NC

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JCC040-2 OAKLAND COUNTY CLERKS OFFICE - G. WILLIAM CADDELL 01/03
 PAGE NO: 009 OF 010 DOCKET DISPLAY - IMAGE RETRIEVAL 09:46
 NEXT PAGE: 010

CASE NO: 2002 183974 FH PEOPLE
 VS
 JUDGE: DEBORAH G. TYNER HANN, GARY, S, ATTY: DAVID G. GORCYCA
 LOEB, THOMAS M

JS 12/06/2002 MIN: 0 YEARS 24 MONTHS 0 DAYS
 JS 12/06/2002 MAX: 20 YEARS 0 MONTHS
 JS 12/06/2002 BEGINNING 12/06/02
 JS 12/06/2002 CREDIT FOR 0 MONTHS 26 DAYS
 JS 12/06/2002 CONCURRENT
 JS 12/06/2002 VICTIMS RIGHTS FEE \$60
 JS 12/06/2002 LAB FEE \$150
 JS 12/06/2002 OTHER: \$60 DNA TESTING FEE; COMPLY WITH SEX OFFENDER-
 JS 12/06/2002 REGISTRATION
 JS 12/06/2002 REQUIREMENTS; JUDGMENT AMENDED TO DELETE HIV -
 JS 12/06/2002 ORDER PROVISION
 JS 12/06/2002 END OF SENTENCE INFORMATION

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JCC040-2

PAGE NO: 010 OF 011

NEXT PAGE: 011

OAKLAND COUNTY CLERKS OFFICE - G. WILLIAM CADDELL
DOCKET DISPLAY - IMAGE RETRIEVAL

11/18/06
11:21:26

CASE NO: 2002 183974 FH

PEOPLE

VS

HANN, GARY, S,

ACT: 04/18/2006
DISP: 09/20/2006
ATTY: DAVID G. GORCYCA

JUDGE: DEBORAH G. TYNER

LOEB, THOMAS M

- 12/20/2002 JUDGMENT OF SENTENCE FILED AMD
- 01/29/2003 ORDER CRT APPTD ATTY FILED
- 01/29/2003 NOTICE OF TIMELY APPEAL FILED
- 01/29/2003 DISBURSEMENT AUTHORIZATION FILED
- 01/29/2003 AFFIDAVIT/PROOF OF SERVICE FILED
- 02/14/2003 CERTIF CT REPORTER FILED
- 02/28/2003 TRANSCRIPT FILED SENTENCE 12/6/02
- 03/04/2003 TRANSCRIPT FILED PROCEEDINGS 09/20/02
- 02/28/2003 NOTICE FILED FILING TRN
- 06/23/2003 MOTION PRAECIPE FILED FOR 030702
- 06/20/2003 MOTION FILED TO W/DRAW COUNSEL
- 06/23/2003 NOTICE OF HEARING FILED

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CLERK OF SUPERIOR COURT
LANSING OFFICE
SANDRA SCHULTZ KENNEL
CHIEF CLERK

DEC 18 PM 2:30

Page: 1 Document Name: untitled

JCC040-2 OAKLAND COUNTY CLERKS OFFICE - G. WILLIAM CADDELL 11/18/0
PAGE NO: 011 OF 011 DOCKET DISPLAY - IMAGE RETRIEVAL 11:21:2
NEXT PAGE: 01

CASE NO: 2002 183974 FH PEOPLE
JUDGE: DEBORAH G. TYNER VS
HANN, GARY, S, ATTY: DAVID G. GORCYCA
LOEB, THOMAS M

08 07/02/2003 MOTION TO W/DRAW AS APPELLATE COUNSEL GRD M
- 06/30/2003 ANSWER FILED MTN COUNSEL W/DRAW/DFT AM
- 07/02/2003 ORDER FILED W/DRAWAL OF
- 08/05/2003 AFFIDAVIT/PROOF OF SERVICE FILED PC
LAST OF CASE DATA

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ALL RECORDS HAVE BEEN DISPLAYED FOR THIS CASE